

REMARKS/ARGUMENTS

Applicant respectfully requests reconsideration and allowance of this application in view of the amendments above and the following comments.

At the outset, Applicants wish to address the showing required by 37 CFR § 1.116(b) as to why the amendments above are necessary and were not presented earlier. In response, Applicants point out that the amendments above are responsive to comments made by the Examiner for the first time in the final rejection, i.e., that claim 37 was allowable in substance, and, therefore, are necessary. Further, since this is the first substantive response to the final rejection, clearly these amendments could not have been presented earlier. In view of the foregoing, and because these amendments are believed to place this application in condition for immediate allowance, Applicants respectfully request that the Examiner enter and consider these amendments.

Applicants wish to thank the Examiner for indicating that claim 37 would be allowable if made independent. Accordingly, Applicants have done so without prejudice by incorporating the substance of claim 37 into main claim 18. This moots all other issues.

Applicants note that an information disclosure statement was filed on February 15, 2011, but not yet considered. Applicants respectfully request that the Examiner now consider same.

Applicant believes that the foregoing constitutes a bona fide response to all outstanding objections and rejections.

Applicant also believes that this application is in condition for immediate allowance. However, should any issue(s) of a minor nature remain, the Examiner is respectfully requested to telephone the undersigned at telephone number (212) 808-0700 so that the issue(s) might be promptly resolved.

Early and favorable action is earnestly solicited.

Respectfully submitted,
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